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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/048,136	07/09/2002	Chester Savage	490113-148	2732

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INSKEEP INTELLECTUAL PROPERTY GROUP, INC  
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SUITE 205  
GARDENA, CA 90248

EXAMINER

KEASEL, ERIC S

ART UNIT	PAPER NUMBER
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3754

DATE MAILED: 03/19/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

10/048,136

Applicant(s)

SAVAGE ET AL.

Examiner

Eric Keasel

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 02 August 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-22 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-22 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 09 July 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 2.
- ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: \_\_\_\_\_.

**DETAILED ACTION**

***Claim Rejections - 35 USC § 112***

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claims 1-17 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 1 recites “a male probe portion” in line 12 and again recites “a male probe portion” in line 16, which appear to be a double inclusion of the first “a male probe portion”. It is vague and indefinite as to whether these are meant to be the same male probe portions or separate and distinct male probe portions.

In claims 8, 11, 14, and 17, “said guide portion” lacks antecedent basis in the claims. It is vague and indefinite as to whether this is meant to be “said guide structure”, which has proper antecedent basis, or a separate and distinct guide element.

***Claim Rejections - 35 USC § 102***

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1, 11, and 17-22 are rejected under 35 U.S.C. 102(b) as being anticipated by Main, Jr. et al. (US Patent Number 2,485,006).

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Main, Jr. et al. disclose the structure (and associated method of providing) comprising a male coupling portion and a female coupling portion to form a fluid-flow coupling structure, each of the male and female coupling portions defining a respective fluid flow path and being removably engageable with one another to communicate the respective fluid flow paths, each coupling portion including a respective valve element having a respective closed first position closing the respective fluid flow path from ambient (see Fig. II), said respective valve elements moving to respective open second positions when said coupling portions are engaged together to communicate said fluid flow paths with one another (see Fig. I), said male coupling portion comprising: a guide structure (23) including support means for supportingly and releasably engaging onto the female coupling portion, said guide structure including structure for guiding a male probe portion in reciprocation between a first position disengaged from the female coupling portion (Fig. II) and a second position in which said male probe portion is engageable into the female coupling portion when said coupling portions are engaged together (Fig. I); a male probe portion (13, 15, 16) reciprocable on said guide structure and carrying said respective valve element (15, 16) of said male coupling portion, and said guide structure and respective valve element including cooperating structure for moving said respective valve element to its open second position in response to reciprocation of said male probe portion to its said second position; an actuator (4) rotationally carried upon said guide structure, said actuator and said male probe portion defining cooperating structure for reciprocating said male probe portion between its said first position and its said second position in response to rotation of said actuator; wherein said cooperating structure of said guide structure and respective valve element for moving said respective valve element (15, 16) to its open second position in response to

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reciprocation of said male probe portion to its said second position includes said respective valve element being of generally tubular configuration (16) and being slidably received on said male probe portion, said valve element further defining a radially outwardly extending flange engaging said guide portion upon reciprocation of said male probe portion to its second position; and wherein said respective valve member of said male coupling portion includes a sealing sleeve member which is slidably carried on said male probe portion, said male probe portion defining an axially extending part of said respective fluid flow path of said male coupling portion and also defining an aperture (18) opening laterally outwardly thereon, said sealing sleeve member in said closed first position spanning and closing said aperture, said sealing sleeve member including a radially outwardly extending element engageable with said guide portion upon forward reciprocation of said male probe portion to stop further forward motion of said sealing sleeve member so that said male probe portion continues forward toward said female coupling portion to uncover said aperture.

#### *Allowable Subject Matter*

5. Claims 2-10 and 12-16 would be allowable if rewritten to overcome the rejection(s) under 35 U.S.C. 112, second paragraph, set forth in this Office action and to include all of the limitations of the base claim and any intervening claims.

#### *Conclusion*


6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Fisher, Schneiter et al., McKeon, Beaston, and Lin disclose similar couplers.

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7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Eric Keasel whose telephone number is (703) 308-6260. The examiner can normally be reached on Monday-Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gene Mancene can be reached on (703) 308-2696. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
Eric Keasel  
Examiner  
Art Unit 3754